

### **REMARKS**

In the specification, paragraphs have been (1) amended to correct the references to the drawings and typographical errors, and (2) added to replace, in actual text, the material that was incorporated by reference from the disclosure of U.S. Patent Application Serial No. 09/736,637. See MPEP § 2163.07(b) ("Replacing the identified material incorporated by reference with the actual text is not new matter."). Applicant has indicated what changes are being made, by way of appropriate markings for deleted and added matter, and where in the original specification such changes are to be made, by way of reference to page and line numbers.

Claims 83-85 remain in this application. Claims 1-21 have been canceled. Claims 22-82 have been withdrawn. Claims 83-85 have been added. Support for these new claims can be found in the specification at least on the following pages:

Page 5, lines 18-24 to page 12, lines 1-7; and in particular,

Page 6, lines 20-23;

Page 7, lines 11-20;

Page 8, lines 20-24; and

in the amendments to the specification.

No new matter has been added by this amendment. In view of the amendments and the following remarks, Applicant respectfully requests reconsideration by the Examiner and submits that this application is in condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this application.

### **35 U.S.C. § 102 Rejections**

Claims 1-7, 9-16, and 18-21 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 1,774,004 (Haslett). The Examiner stated that the filter assembly of the

reference is inherently capable of being attached to a spray member of the type recited in the claims, and this capability is all that is required by the claims. Applicant respectfully traverses and requests withdrawal of the rejection.

Haslett does not teach or suggest the claimed invention. Haslett teaches a device for treating liquids such as water, with filtering capability by way of screens and particles of zeolite, *i.e.*, aluminum silicate minerals. This device may be detachably connected to faucets. Haslett, however, does not disclose using copper materials to treat liquids, as claimed in the present invention. Haslett also does not disclose particles – whether zeolite or other – of specified size or density, as claimed in the present invention. Therefore, this reference does not anticipate the claimed invention, and the Examiner has not established adequate grounds for the rejection under § 102(b). Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claims 1-4, 6, 7, and 9-21 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No. 6,016,977 (Farley). Applicant respectfully traverses and requests withdrawal of the rejection.

Farley does not teach or suggest the claimed invention. Farley teaches the use of a copper-zinc material, *in combination with* a non-soluble calcium sulfite filter media, in filters, *e.g.*, “calcium sulfite beads with an equal mixture of a copper-zinc material,” at col. 6, ll. 16-24, 36-40, and also in claims 5, 7, 12, 14, and 17. However, Farley does not teach or suggest the use of a substantially pure copper media in a water filter, as claimed in the present invention. Thus, the cited reference does not anticipate the claimed invention, and the Examiner has not established adequate grounds for the rejection under § 102(e). Applicant respectfully requests reconsideration and withdrawal of the rejection.

**35 U.S.C. § 103 Rejections**

Claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Haslett. The Examiner stated that the reference discloses the claimed invention except for the use of “1/4 inch NSP threads,” and that the exact type or connector threads employed in the reference device is not seen to materially affect the overall operation of this device, or to produce any new and unexpected results, and is therefore deemed to be an obvious matter of choice in design, which is insufficient to patentably distinguish claim 8. Applicant respectfully traverses and requests withdrawal of the rejection.

As discussed above, Haslett teaches a detachable device with screens and particles of zeolite to filter liquids. However, as noted above, Haslett does not disclose using copper materials to treat liquids or particles of specific size or density to treat liquids, as claimed in the present invention. Therefore, Haslett does not teach or suggest the claimed invention, and the Examiner has not established adequate grounds for the rejection under § 103(a). Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claims 5 and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Farley. The Examiner stated that the reference discloses the claimed invention except for the type of connector employed, as in having a female end and/or having “1/4 inch NSP threads,” and that the exact type of connector configuration employed in the reference device is not seen to materially affect the overall operation of this device, or to product any new and unexpected results, and is therefore deemed to be an obvious matter of choice in design, which is insufficient to patentably distinguish claims 5 and 8. Applicant respectfully traverses and requests withdrawal of the rejection.

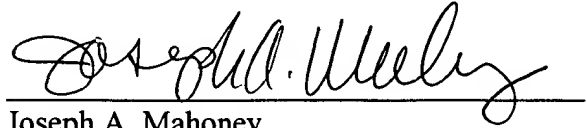
As discussed above, Farley teaches the use of a copper-zinc material *in combination with* a non-soluble calcium sulfite filter media. See Farley at col. 6, ll. 16-24, 36-40, and also in claims 5, 7, 12, 14, and 17. However, Farley does not teach or suggest the use of a substantially pure copper media in a water filter, as claimed in the present invention. The substantially pure copper media of the present invention is superior to a copper-zinc material, such as KDF 55. For example, in the amended specification, Applicant notes that the KDF type 55 filter failed at 400 gallons, i.e., chlorine breakthrough occurred at low (less than 50%) chlorine reduction levels. The embodiment of the present invention containing 100% copper was effective at reducing the chlorine levels by greater than 90%, even beyond 4000 gallons. These test results demonstrate that the 100% copper media of the present invention is superior in reducing chlorine for the specified capacity of 4000 gallons, while maximizing the water flow through the test filter.

The test results also show that the 100% copper filter was superior to the KDF/100C media (a combination of copper-zinc alloy and pure copper). The KDF/100C media, although more effective than the KDF 55 media, was not as effective as the 100% copper media. These results demonstrate that as the percentage of copper increases in the filter media, the more effective the filter becomes. Therefore, Applicant has demonstrated that the claimed copper media produces unexpected results over the prior art. Thus, the cited reference does not teach or suggest the claimed invention, and the Examiner has not established adequate grounds for the rejection under § 103(a). Applicant respectfully requests reconsideration and withdrawal of the rejection.

None of Applicant's amendments are to be construed as dedicating any such subject matter to the public, and Applicant reserves all rights to pursue any such subject matter in this or a related patent application. If, in the opinion of the Examiner, a phone call may help to expedite

prosecution of this application, the Examiner is invited to call Applicant's undersigned attorney  
at (312) 701-8979.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Joseph A. Mahoney", written over a horizontal line.

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